

SENATE BILL 20  
By McNally

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 34, Part 2, relative to civil causes of action for certain acts of terrorism.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following new section:

Section 29-34-205.

(a) As used in this section:

(1) "Act of terrorism" means an act or acts constituting a violation of Tennessee Code Annotated, Title 39, Chapter 13, Part 7, any other offense under the laws of Tennessee, or an act or acts constituting an offense in any other jurisdiction within or outside the territorial boundaries of the United States that contains all of the elements constituting a violation of Tennessee Code Annotated, Title 39, Chapter 13, Part 7, or is otherwise an offense under the laws of such jurisdiction, that is intended, directly or indirectly, to:

(A) Intimidate or coerce a civilian population;

(B) Influence the policy of a unit of government by intimidation or coercion; or

(C) Affect the conduct of a unit of government by murder, assassination, torture, kidnapping, or mass destruction;

(2) "Material support or resources" means currency or other financial securities, financial services, lodging, training, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials;

(b) Any person who is injured or suffers property damage as the proximate result of an act of terrorism shall have a civil cause of action against any person, organization, group, or corporation that provided material support or resources to the person or organization that committed the act of terrorism.

(c) To prevail in such an action, the injured party must prove by a preponderance of evidence that: the person, organization, group, or corporation providing the material support or resources knew or should have known at the time it was provided that the person to whom it was provided was planning or carrying out an act of terrorism in this state, or concealing or attempting to escape after committing or attempting to commit an act of terrorism.

(d) A cause of action under this section shall be commenced within one (1) year from the date of the injury unless such action is for damage to property only in which case it shall be commenced within three (3) years from the date of the damage.

(e) A person who prevails in an action brought pursuant to this part shall be entitled to both compensatory and punitive damages, if appropriate. Such person shall also be entitled to treble the amount of compensatory damages

proven, reasonable attorney fees, and all reasonable costs associated with  
commencing and prosecuting the action.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring  
it and shall apply to any applicable cause of action accruing on or after such effective date.